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As U.S. Marines entered the city of Fallujah, Iraq, in 2004 to reclaim the insurgent stronghold, Sgt. Rafael Peralta wrote to his brother, telling him, "I'm proud to be a Marine, a U.S. Marine, and to defend and protect the freedom and Constitution of America. You should be proud of being an American citizen." On the same day the letter arrived, the family received word that Sgt. Peralta was killed in combat.

Marines have a tradition of finding inspiration among each other. Not only were Sgt. Peralta's actions in combat indicative of the type of service and selflessness that define the Marine Corps, but his reason for wanting to wear the Eagle, Globe and Anchor is nothing short of honorable. As a Mexican immigrant, having watched and admired Marines in San Diego, he enlisted on the same day he received his green card.

The Battle of Fallujah was some of the most dangerous and intense fighting during the entire Iraq War, and at the heart of this operation were thousands of U.S. Marines, including Sgt. Peralta. On Nov. 15, 2004, Sgt. Peralta voluntarily joined an understrength squad, helping to lead a group of Marines as they moved house to house. Immediately upon opening the door of the seventh house of the day, Sgt. Peralta and the rest of the squad came into direct contact with multiple insurgents. A close-quarter firefight erupted.

Sgt. Peralta hit the floor. He was hit in the back of the head by a fragment of a ricocheted bullet. On the ground, with Marines at his side and nearby, a grenade came through the window and landed near Sgt. Peralta's head. Without hesitating, he did the unthinkable. He grabbed the grenade, pulled it into his body and absorbed the blast, saving the lives of the Marines there that day by sacrificing his own life.

For his actions, Sgt. Peralta was nominated for the Medal of Honor, the nation's highest award for combat heroism. Moving through the chain of command, the nomination was supported by the secretary of the Navy.

There was no doubt, as the nomination passed through stages of Marine Corps and Navy

leadership, that Sgt. Peralta would be awarded the Medal of Honor.

The nomination met all the criteria. The action was in the spirit and tradition of the Medal of Honor, especially since another Marine, Cpl. Jason Dunham, was nominated and later posthumously awarded the Medal of Honor for smothering a grenade in Iraq. In Sgt. Peralta's case, there were seven eyewitness accounts. Four were independent and consistent, asserting Sgt. Peralta reached for the grenade with his right arm. The fifth claimed it was the left arm, and two accounts made no mention of an arm. All seven maintained that Sgt. Peralta smothered the grenade.

None of this satisfied former Defense Secretary Robert Gates. For the first and only time on record, a scientific review panel was assembled years after Sgt. Peralta's death, determining the Marine was mortally wounded and could not have consciously grabbed the grenade. The panel also determined that the grenade detonated one to three feet from Sgt. Peralta's left knee, not underneath him. More directly, the eyewitness accounts that have always been the standard for determining Medal of Honor awards were discarded, and the recommendations of the Marine Corps and Navy were ignored.

Instead of the Medal of Honor, Sgt. Peralta was awarded the Navy Cross — a high award, but not the military's top award for valor. Ironically, Sgt. Peralta's Navy Cross Citation states the following: "Without hesitation and with complete disregard for his own personal safety, Sergeant Peralta reached out and pulled the grenade into his body, absorbing the brunt of the blast and shielding Marines only feet away."

This is exactly what Sgt. Peralta's fellow Marines say happened. The major difference between them and the independent review panel and Secretary Gates, who downgraded Sgt. Peralta's Medal of Honor, is that the Marines were actually there in Fallujah that day. And in combat, individual actions can sometimes defy logic and explanation.

New evidence invalidating Secretary Gates' conclusion was presented to now Defense Secretary Leon Panetta, including video from a combat cameraman and a detailed pathology report verifying the eyewitness statements. The video, in particular, shows Sgt. Peralta after the grenade detonated, with his left leg clearly visible. There is no blood, no injury and no damage to the left leg, disproving Secretary Gates' claim that the grenade exploded one to three feet from the left knee.

To his credit, Secretary Panetta reviewed the new evidence, but he determined that he could not overturn the decision of the former secretary. Even with video evidence confirming the eyewitness accounts, the answer was no. The witness statements were also called into question again, with Secretary Panetta citing inconsistencies, even when the standard for the Medal of Honor has been two eyewitnesses. Not three, not four, not five, but two witnesses.

Secretary Panetta's decision and rationale is disappointing, but the appeals will continue.

A severe injustice has been done to Sgt. Peralta, his family, his fellow Marines and anyone who has ever been willing to fight and die for their country.

The only way to correct this error in judgment is to finally honor Sgt. Peralta with the award he deserves.